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C O N F I D E N T I A L SECTION 01 OF 03 SUVA 000538

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E.O. 12958: DECL: 12/05/2016
TAGS: [PREL](#) [MARR](#) [ASEC](#) [CASC](#) [FJ](#)
SUBJECT: FIJI UPDATE 12/5: COUP OR NO COUP? ACTION REQUEST

REF: SUVA 531

Classified By: Amb. Dinger. Sec. 1.4 (B,D).

Summary

11. (C) Dec. 5 was an "only in Fiji" sort of day. RFMF Commander Bainimarama moved further to force his coup on the Qarase Government. The PM told the media he had heard from the President's office that the President had dissolved Parliament and given Bainimarama his green light. Certainly it appears Qarase is under house arrest. But President Iloilo issued a statement at mid-afternoon denouncing the RFMF's actions as clearly contrary to the Constitution. The Chair of the GCC urged troops to go "back to the barracks." At least one senior military officer has resigned. Based on events as of early afternoon, the Australian and New Zealand PMs reportedly announced their governments would impose tough sanctions on the RFMF. Australian media reported Qarase asked PM Howard for military intervention and received a "no can do" response. Qarase denied he had asked. Bainimarama is to meet the media at 6 p.m., and we hear (per septel) that he will announce he is going ahead with the coup, despite the President. We ask Washington to gear up a tough sanction announcement to be issued the moment the situation is clear. End summary.

RFMF attempting to force its coup

12. (C) As Dec. 5 dawned in Suva, there was further confirmation that the RFMF was endeavoring to force its "clean up" coup on the Fiji Government. Overnight, RFMF personnel began confiscating Ministers' official vehicles. With dawn, military check points were in place at various locations in Suva, including on all access streets to the PM's office, a block from the Embassy. The troops were letting general traffic through, and Embassy employees had no trouble getting to work. The PM and his Ministers, however, were unable to access offices in the main government buildings, and the Cabinet session the PM had scheduled for the a.m. was put off. Instead, Qarase met with Ministers at his home throughout the day. At about 11 a.m., RFMF troops visited the PM's home and obtained the keys to his official vehicles. They visited again in early afternoon, but did not force entry. They drove the vehicles away.

PM under de facto house arrest

13. (C) As the day wore on, additional visitors arrived at the PM's home to offer support. Particularly notable was the arrival of three Fiji Labor Party Ministers in the multi-party cabinet. Several Methodist ministers arrived to offer prayers and provide moral support. Reportedly, a

number of ethnic-Fijian women came, sat in the front entrance area, and sang hymns. In the afternoon, PM Qarase publicly acknowledged that he appears to be under house arrest.

PM told by Presidential advisor to give up

14. (C) In late morning, PM Qarase told media interviewers that the President's Official Secretary had told him the President wanted him to accept all RFMF demands or resign. Qarase said he replied: "I do not agree...I can't do either of those." We are told the PM and his Ministers had decided firmly yesterday that resigning and/or asking the President to dissolve Parliament were not options. Qarase said, "There is virtually a coup now taking place." He suggested the military had strangled the police force and was now strangling the Government. Qarase told the media he appeared to have "few options left." RFMF Land Forces Commander Driti said publicly that Ministers and some CEOs would be arrested and taken to Nukulau Island in Suva harbor, where some leaders from the 2000 coup are "imprisoned."

But President announces opposition to coup in p.m.

15. (C) Vice President Madraiwiwi told us at mid-afternoon that, indeed, the RFMF was in the process of trying to force the Qarase Government out and was attempting to do so "under cover of the President." Bainimarama went to Government House in the a.m. to ask the President for a dissolution of Parliament. Madraiwiwi told us he strongly advised against, since the President would be acting unconstitutionally. Madraiwiwi said he drafted a media statement for the President to issue. He read it to us, and we urged the VP to get it out ASAP. The statement, which finally hit the

SUVA 00000538 002 OF 003

streets at 4 p.m., says the President "doesn't condone or support" what the RFMF is doing, which is "clearly contrary to" the Constitution, democracy, and rule of law. The statement also affirms that the President intends to remain in office as Fiji's crisis plays out.

Fiji's constitutional constraints

16. (C) Fiji's Constitution limits the powers of the President. He is Commander in Chief, but he acts on advice of the PM. He can dissolve Parliament, thereby removing a government, only on advice of the Prime Minister or if Parliament fails to pass a major bill, such as the budget, or if the PM clearly has lost the confidence of Parliament. Parliament passed the budget handily a few weeks ago, and Qarase retains firm loyalty of his majority. Reportedly, Bainimarama has proposed to invoke "the doctrine of necessity," borrowed from Pakistan and utilized during the 2000 coup when the then PM and most of Parliament were detained by George Speight and his cronies. Fiji courts later accepted that the doctrine of necessity was acceptably invoked for a limited period in the circumstances of 2000. The current crisis, fomented and triggered by the RFMF, in our view could not possibly be legally utilized, even by the President, to allow that same RFMF to seize power. We hear that was the view of RFMF legal advisor LtCol. Caucau, too, which is why Bainimarama sent him on indefinite leave some weeks ago. Eminent Fiji lawyers and judges have confirmed our legal understanding.

Calls for "back to barracks"

17. (C) A diplomatic colleague has heard that the VP has urged the President to issue an order, as Commander in Chief, for the RFMF to return to the barracks. We cannot confirm that as yet. The Chairman of the Great Council of Chiefs (GCC), Ratu Ovini Bokini, told the media he has appealed to the Army to return to the barracks and not to arrest the PM. He said the military's actions had "ignored the wisdom" of the GCC and would lead the country to a path of suffering that would affect thousands of families.

Navy Deputy Commander resigns

18. (C) LtCdr Brad Bowers, Operations Officer (number two position) in the Fiji Navy, told the Embassy DATT today he has resigned because he cannot participate in the RFMF's illegal coup. Other RFMF officers have told us in recent weeks that, if the RFMF mounts a coup, they will also resign.

Australia and New Zealand weigh in

19. (SBU) New Zealand PM Clark hit out at both Bainimarama and President Iloilo in public remarks (before the President issued his statement). Clark said New Zealand would invoke sanctions against the RFMF immediately. Australian PM Howard condemned Bainimarama's actions, said Australia would also invoke sanctions, and added that Australia would impose travel restrictions, not just on RFMF coup leaders but also on any Fiji citizens who take roles in an interim government.

Request for Australian intervention?

10. (U) According to Australian media reports, PM Qarase asked PM Howard today for Australian military intervention to reverse Bainimarama's coup, and PM Howard declined. Qarase told the Fiji media that the report was "merely speculation." Qarase said he did not ask for Australia to intervene militarily.

Comment

11. (C) We were told last evening that Bainimarama had a two-page statement ready to deliver at a press conference. Instead, the Commodore appeared only briefly, looked stressed, and confined his comments to a defense of the RFMF's confiscation of police weapons. The context suggested that something behind the scenes was not going quite according to plan. There are rumors, as yet unconfirmed, that a portion of the RFMF is not prepared to pull the trigger on a clear-cut coup. The resignation of the Navy Deputy Commander confirms at least some dissent. That could explain why Bainimarama has been anxious to have the President on board. A green light would give an illusion of legitimacy, even though the President quite clearly under Fiji's Constitution has no power to remove the PM in the

SUVA 00000538 003 OF 003

present circumstances.

12. (C) The President's public announcement of disapproval today could rock the RFMF, as might the hard-hitting statement from the GCC Chair and the more and more visible expressions of dismay from many in the broader public, most particularly within the ethnic-Fijian communities. To this point, though, the troops seem to have followed the Commodore's orders. Australia's notice that it will impose travel restrictions on any who take up responsibilities in an interim government could well cause some to reconsider offers. We noted media reports today that Ratu Epeli Ganilau (a former Commander of the RFMF and former Chair of the GCC) and Felipe Bole (former Foreign Minister in the Rabuka Government) both danced around questions whether they would accept interim-government responsibilities. FLP leader and former PM Chaudhry said again that he would not serve in any government that is not legally established, though plenty of rumors have him on Bainimarama's list for a ministry.

13. (C) Reportedly the RFMF is at the Government Printing Office at work on an announcement. Bainimarama is to hold a media conference this evening. He just met with DATTs and told them, in brief, that Fiji's situation simply requires him to act, even if without the President's backing (see septel).

Action request

¶14. (C) If it becomes quite clear that Bainimarama has taken control and has removed PM Qarase from power, we hope Washington will be ready immediately to announce U.S. sanctions. Obviously, the mandatory Leahy Amendment sanctions re FMF, IMET, GPOI, ESF, etc. must be invoked. We also encourage consideration of penalizing the RFMF in the PKO field, to the extent our interests in the Middle East can bear that. We acknowledge that the issue is between major realist interests in Middle East -- the RFMF has provided excellent PKO service in Lebanon, the Sinai, and Iraq -- and support of democracy in Fiji. If we opted to squeeze RFMF PKO interests, we would have an impact here. The RFMF has hundreds of troops with both MFO Sinai and UNAMI in Iraq. Bainimarama has expressed strong interest in the past in having the RFMF join MNFI as well. Remittances from troops abroad are a major RFMF source of income. Bainimarama recently said publicly that, as was the case after the 1987 and 2000 coups, Fiji PKO opportunities surely will be unaffected by a coup in 2006. If we proved that wrong, the RFMF leadership (below Bainimarama at least) might reconsider options.

¶15. (C) We also encourage the USG to join New Zealand and Australia in imposing travel restrictions against RFMF senior leaders and civilians involved in fomenting and leading the coup, and against those who agree to take up roles in Bainimarama's interim government. Fiji is in a remote part of the world. If routes to Australia, New Zealand, and the U.S. are severed, coup leaders and supporters will quickly feel it.

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